## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION NO: 3:03CR231

| UNITED STATES OF AMERICA, | ) |              |
|---------------------------|---|--------------|
| Plaintiff                 | ) |              |
|                           | ) |              |
| vs.                       | ) | <b>ORDER</b> |
|                           | ) |              |
| PABLO ALEJANDRO           | ) |              |
| HERNANDEZ-GARRUFE,        | ) |              |
| Defendant.                | ) |              |
|                           | ) |              |
|                           |   |              |

THIS MATTER IS BEFORE THE COURT upon the receipt of a letter from Pablo Alejandro Hernandez-Garrufe, dated August 5, 2005 and styled as a "Motion to the Honorable Judge Graham C. Mullen" (the "Letter"). In the Letter, Mr. Hernandez-Garrufe represents that he has signed a plea agreement and asks to be informed of the status of his case and possible release.

The record reflects that Mr. Hernandez-Garrufe is represented by appointed counsel, Richard L. Brown, Jr. It is the practice of this Court, when a defendant is represented by counsel, to rule on motions filed only by counsel of record. Therefore, if Mr. Hernandez-Garrufe has any matters he wishes this Court to consider, they must be submitted through his attorney. If the Court needs to conduct an inquiry into the status of counsel, Mr. Hernandez-Garrufe or Mr. Brown should notify the Court of the same.

**IT IS, THEREFORE, ORDERED** that Mr. Hernandez-Garrufe's request is **DENIED** without prejudice to Mr. Hernandez-Garrufe's right to re-file the motions, if appropriate, through his attorney.

The Clerk of Court is directed to send a copy of the Letter to Mr. Brown along with his copy

<sup>&</sup>lt;sup>1</sup> The Letter was received by the Court on August 8, 2005.

of this Order.

## Signed: August 11, 2005

David C. Keesler
United States Magistrate Judge